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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,919	07/07/2003	Toru Ikeda	00862.023120	6943
5514 7590 12/26/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA			EXAMINER	
			NGUYEN, MADELEINE ANH VINH	
NEW YORK, NY 10112			ART UNIT	PAPER NUMBER
			2625	
•			· -	
			MAIL DATE	DELIVERY MODE
			12/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)			
Office Action Summary		10/612,919	IKEDA, TORU			
		Examiner	Art Unit			
		Madeleine AV Nguyen	2625			
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
WHIC - Exter after - If NO - Failu Any r	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DAISIONS of time may be available under the provisions of 37 CFR 1.15 SIX (6) MONTHS from the mailing date of this communication. Period for reply is specified above, the maximum statutory period or to reply within the set or extended period for reply will, by statute eply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be timusely and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	I. the mailing date of this communication. (35 U.S.C. § 133).			
Status						
2a)⊠	Responsive to communication(s) filed on <u>15 O</u> .  This action is <b>FINAL</b> . 2b) This Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final.  nce except for formal matters, pro				
Dispositi	on of Claims					
5) [ 6) [ 7) [	Claim(s) 1-11 is/are pending in the application.  4a) Of the above claim(s) is/are withdray Claim(s) is/are allowed.  Claim(s) 1-11 is/are rejected.  Claim(s) is/are objected to.  Claim(s) are subject to restriction and/or	vn from consideration.				
Applicati	on Papers	•				
10)	The specification is objected to by the Examine The drawing(s) filed on is/are: a) accomplicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Ex	epted or b) objected to by the Eddrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).			
Priority u	nder 35 U.S.C. § 119	-				
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
Attachment	(s) e of References Cited (PTO-892)	4) Interview Summary	(PTO-413)			
2)  Notice 3) Inform	e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO/SB/08) No(s)/Mail Date	Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:	te			

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### **DETAILED ACTION**

# Response to Arguments

Applicant's arguments, see pages 7-10, filed on October 15, 2007, with respect to claims 1-11 have been fully considered and are persuasive due to the amended claims. The previous rejection of claims 1-11 has been withdrawn.

### Claim Objections

- 1. Claim 6 is objected to because of the following informalities: "a" before "the data which indicates" in step "obtaining the error data" should be deleted. Appropriate correction is required.
- 2. Claim 9 is objected to because of the following informalities: "tales" after "the plurality of three-dimensional" in line 2 should be "tables". Appropriate correction is required.

# Claim Rejections - 35 USC § 112

- 3. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- 4. Concerning claim 1, clarification on "the output dot pattern" in the obtaining section. Is it "the output of the selected dot pattern" or "the selected dot pattern" or "the output selected dot pattern"? The same with "the dot pattern" in the last sentence of the claim. Is it the dot pattern from a combination of dot patterns, or the selected dot pattern, or the output of the selected dot

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pattern? "a color appearance of an image to be printed by the dot pattern" (in the last line of the claim) is indefinite. How the dot pattern can print an image?

- 5. Claims 6 and 11, which are method claim and a computer performing an image processing method claim, are rejected for the same rationales set forth for apparatus claim 1 above.
- 6. Claim 4 recites the limitation "the middle luminance" in line 5. There is insufficient antecedent basis for this limitation in the claim.
- 7. Claim 6 recites the limitation "the data" in line 14. There is insufficient antecedent basis for this limitation in the claim.
- 8. Claim 9 recites the limitation "the middle luminance" in line 4. There is insufficient antecedent basis for this limitation in the claim.
- 9. Claims 2-3, 5, 7, 8, 10 are dependent on claims 1, 6 and 11. Therefore, claims 2-3, 5, 7, 8, 10 are also rejected for the same rationales as claims 1, 6 and 11.

### Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 571 272-7466. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

And Long upon
December 18, 2007

Madeleine AV Nguyen Primary Examiner Art Unit 2625